



PATENT  
ATTORNEY DOCKET NO.: ST3001-0035

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
**Mail Stop PATENT APPLICATION**  
Alexandria, VA 22313

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventor: Tomoaki ABE and Hisashi SUWA

For: SURFACE-MOUNTED LIGHT-EMITTING DIODE AND METHOD

1. This is a new ☒ **Utility** ☐ **Design** ☐ **Plant** patent application.

2. The papers enclosed to obtain a filing date are as follows:

32 Pages of Specification including

1 Title Page

7 Pages of Claims

1 Page of Abstract

4 Sheets of drawings containing 14 figures

☐ The enclosed drawings are photographs, and there is also attached a  
PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney

☐ Enclosed and is executed by all inventors

☒ Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. §1.53(f).

Applicant(s) await notification from the Patent and Trademark Office of the  
time set for filing the Declaration and paying the filing fees.

## 4. Language

☒ English☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

## 5. Assignment

☐ An assignment of the invention and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.☒ An assignment will be filed at a later date.

## 6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☒ Priority of the following foreign application is claimed:

Country	Application No.	Filed
Japan	2003-307517	August 29, 2003

Certified copies: ☒ are attached. ☐ will follow.

## 7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☐ Priority of the following provisional application(s) is claimed:

Application No.	Filed

## 8. Small entity status

☐ A statement claiming small entity status under 37 C.F.R. §1.27 is asserted for the present application.

## 9. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$770.00 Design \$340.00
Total Claims (37 C.F.R. §1.16(c))	20 - 20 =	0	18.00	\$0.00
Independent Claims (37 C.F.R. §1.16(b))	3 - 3 =	0	86.00	\$0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			290.00	
<b>SUB-TOTAL =</b>				<b>\$770.00</b>
Reduction by 1/2 for filing by a small entity				
<b>TOTAL FILING FEE =</b>				<b>\$770.00</b>

## 10. Fee Payment

☒ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☐ Check No. for \$770.00 representing the basic filing fee, and Check No. for \$40.00 representing the assignment recording fee are enclosed.

11. [X] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Applicant's representative's Deposit Account. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

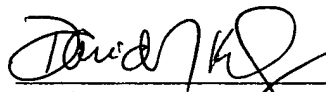
12. **Correspondence:** Please send all correspondence related to this application to the address associated with the following customer number:

**Customer No. 39083**

**Please accord this application an application number and filing date.**

Respectfully submitted,

**The Kenealy Law Office, LLC**

  
David J. Kenealy, Reg. No. 40,411

Dated: November 28, 2003  
**Customer No. 39083**  
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